ORIGINAL

(2)

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number

Sierra Funds Recovery, Inc.
10123 Main Place, Ste. B
Bothell, WA 98011
Tel: 425.489.2669
Fax: 425.952.0612
applications@SierraFR.com

FOR COURT USE ONLY

FILED
JUL 11 2005
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY Deputy Clerk

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re:

Double Diamond
Trucking, Inc.

Debtor.

CASE NUMBER SV 01-19891 AG
chp. 7

HEARING DATE:

TIME:

PLACE:

MOTION FOR ORDER RELEASING UNCLAIMED FUNDS

I, under penalty of perjury under the laws of the United States of America declare (or certify, verify, or state) that the following statements and information are true and correct:

1. I request an order releasing the total amount of $ $1,975.20 which is the sum of all monies deposited with the court on the following date(s) 3.29.05 on behalf of the creditor Antonio Perez on claim number(s) 18

2. Please check and complete the applicable subparagraph(s) below:

☐ a. I am the creditor named in paragraph 1.

☐ b. I am an employee of the creditor named in paragraph 1 and my title is ________. The creditor is still legally entitled to the monies and I am authorized by the creditor to this petition. Submit evidence establishing authority to act on behalf of creditor.

☒ c. I am the creditor and have appointed Sierra Funds Recovery, Inc. as my lawful attorney-in-fact who is duly authorized by the attached original power of attorney to file this motion.

☐ d. Subparagraphs a, b, and c above do not apply, but I am entitled to payment of such monies because (submit evidence establishing basis for right to obtain payment).

n/a

(Continued on next page)

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In re Double Diamond Trucking, Inc. Debtor.	CHAPTER 7 CASE NUMBER SV 01-19891 AG

3. Please complete each of the following subparagraphs:

   a. The following is the creditor's address and phone number:

      Antonio Perez
      1666 JONES ST
      DOS PALOS CA 93620-2747

      (209) 392-3632

   b. A brief history of the creditor (from the filing of the claim to the present) which includes, if applicable, identification of any sale of the company and the new and prior owner(s). Submit evidence establishing the sale of the company from the prior to the new owner(s):

      See Exhibit B: "Creditor History"

4. I understand that, pursuant to 18 U.S.C. § 152, I may be fined or imprisoned, or both, if I have knowingly and fraudulently made any false statements in this document.

Motion for Order Releasing Unclaimed Funds - *Page 3* **F 3011-1**

In re Double Diamond Trucking, Inc. Debtor.	CHAPTER 7 CASE NUMBER SV 01-19891 AG

(Corporate Seal if applicable)

Antonio Perez [signature]
Creditor

Antonio Perez
Type or Print Creditor's Name

Creditor's Address

Antonio Perez
1666 JONES ST
DOS PALOS CA 93620-2747

STATE OF California, COUNTY OF Merced

On May 23, 2005 before me, personally appeared *(insert name and title of the signer)*

Antonio Perez, creditor

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person~~(s)~~ whose name~~(s)~~ (is)/~~are~~ subscribed to the within instrument and acknowledged to me that (he)/~~she/they~~ executed the same in (his)/~~her/their~~ authorized capacity~~(ies)~~, and that by (his)/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument. WITNESS my hand and official seal.

(SEAL)

Marti R. Rosecrants [signature]
Notary Public

My commission expires on 5-25-08

MARTI R. ROSECRANTS
COMM. #1486508
NOTARY PUBLIC - CALIFORNIA
MERCED COUNTY
My Comm. Expires May 25, 2008

In re Double Diamond Trucking, Inc. Debtor.	CHAPTER 7 CASE NUMBER SV 01-19891 AG

Signature of Attorney/Attorney-in-Fact (if appointed)

John Bettinger, President, Sierra Funds Recovery, Inc.
Type or Print Name

Address

10123 Main Place Ste. B

Bothell WA 98011-3402 tel. 425.489.2669

STATE OF ~~CALIFORNIA~~ WASHINGTON, COUNTY OF King

On June 21, 2005 before me, personally appeared *(insert name and title of the signer)*
John Bettinger, President, Sierra Funds Recovery, Inc.

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

Notary Public

(SEAL)

My commission expires on May 2, 2007

TONYA A. BETTINGER
STATE OF WASHINGTON
NOTARY — • — PUBLIC
MY COMMISSION EXPIRES 05-02-07

Presented by:

Tonya A. Bettinger, Notary Public

Sierra Funds Recovery, Inc.

10123 Main Place Ste. B Bothell WA 98011-3402

In re Double Diamond Trucking, Inc. Debtor.	CHAPTER 7 CASE NUMBER SV 01-19891 AG

PROOF OF SERVICE

I hereby certify under penalty of perjury under the laws of the United States of America that on June 21, 2005, I mailed in a sealed envelope, with postage thereon fully prepaid, a fully completed true and correct copy of the document described as "Motion for Order Releasing Unclaimed Funds" to the United States Attorney, United States Trustee, and other persons and entities required to be served by Local Bankruptcy Rule 3011-1(b) and addressed as follows:

U.S. Attorney's Office
Central District of California
312 N. Spring Street
Los Angeles, CA 90012

U.S. Trustee's Office
Central District of California
725 S. Figueroa, 26th Floor
Los Angeles CA 90017

Please insert the name and address of the trustee appointed in the case and the trustee's counsel, if any:

Nancy Hoffmeier Zamora, Esq.
Chapter 7 Trustee
Citibank Center
444 South Flower Street, Suite 1550
Los Angeles, CA 90071

Please insert the name and address of the Debtor, Debtor in Possession, reorganized Debtor, or other fiduciary appointed to supervise the distribution of funds and assets of the estate (if not the claimant) and their counsel, if any:

Double Diamond Trucking Inc.
P.O. Box 364
Castaic, CA 91384

Peter M. Lively, Esq.
Law Office of Peter M. Lively
1410 Second Street
Suite 302
Santa Monica, CA 90401

If Movant is not the original creditor or an employee thereof, please insert the name and address of the original creditor and the creditor's counsel, if any:

June 21, 2005
Date

Signature

John Bettinger, President, Sierra Funds Recovery, Inc
Type or Print Name

LIMITED POWER OF ATTORNEY
Limited to One Transaction

1. ***Antonio Perez*** ("CLIENT") appoints Sierra Funds Recovery, Inc., acting through its staff, as its Lawful Attorney In Fact, for the limited purpose of recovering, receiving and obtaining information pertaining to the claim of ***Antonio Perez***, of an outstanding total amount of **$1,975.20** in unclaimed funds held by a government agency or authority for the case of: **SV 01-19891 AG Double Diamond Trucking, Inc.**.

2. Sierra Funds Recovery, Inc. may not make any expenditure or incur any costs on behalf of CLIENT without CLIENT'S written consent.

3. CLIENT grants Sierra Funds Recovery, Inc. authority to complete all actions legally permissible and reasonably necessary to recover the unclaimed funds.

4. This appointment is specifically limited to the collection and disbursement of the above named funds. It shall become effective on the date signed below and shall be terminated upon the receipt of funds recovered by Sierra Funds Recovery, Inc. CLIENT reserves the right to revoke this Power of Attorney at any time by written notification.

Signed this 9 day of May, 2005

By: Antonio Perez [signature]
Antonio Perez

NOTARY ACKNOWLEDGMENT

State of California) County of Merced)

Before me, Antonio Perez, personally appeared and acknowledged to me that he/she is the person whose name is subscribed within the instrument and acknowledged that the execution thereof to be his/her free act.

Identification for the above named was Driver's License (or specify other identification:) 5053077 3

Signed this 9 day of May, 2004

Notary Public Signature: [signature] **Notary Seal**

Residing At So. Dos Palos - Ca.

My Commission Expires:

DELIA ANTONETTI
Commission # 1556060
Notary Public - California
Merced County
My Comm. Expires Mar 31, 2009

Antonio Perez $1,975.20
SFR04343-MS

EXHIBIT A
page 1 of 1

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Exhibit B:

Creditor History

The following is the creditor's (or successor in interest to the creditor) current address, contact, phone number, and a brief history of the creditor from filing of the creditor's claim to present.

The court's creditor mailing matrix lists the following information for this claimant:

Antonio Perez
1117 San Jose Street
Dos Palos, CA 93620

That information is no longer correct. The following is the current address, contact and telephone number:

Current Address:

Antonio Perez,
1666 JONES ST
DOS PALOS , CA 93620-2747

Current Phone: (209) 392-3632

Creditors History: The claimant named above is the rightful claimant to these funds as evidenced by the attached Exhibits. Authorization to act as the claimaint's agent is shown by Exhibit A. Exhibit B is this document. Exhibit C is the claimant's affidavit stating that he is the rightful claimant and providing his address at the time of the original case. Exhibit D is a Chapter 7 order sustaining objection and allowing Claim No. 18 as unsecured priority claim naming creditor (2-pages). Exhibit E demonstrates notice of judgment to creditor. Exhibit F is the photo ID of Creditor.

The following attached Exhibits support this claim:

Exhibit A: Limited Power of Attorney
Exhibit B: This document
Exhibit C: Affidavit of Claimant
Exhibit D: Chapter 7 order (2-page)
Exhibit E: Notice of Entry of Judgment
Exhibit F: Photo ID of Creditor

EXHIBIT B
page 1 of 1

AFFIDAVIT OF CLAIMANT

I, Antonio Perez, under the penalty of perjury of the laws of the United States of America, declare (or certify, verify or state) that I am the claimant to the unclaimed funds referenced in this application and that I am, to the best of my knowledge, the legal owner of these funds.

At the time of the court case I lived at the following address:

Antonio Perez
1117 San Jose Street
Dos Palos, CA 93620

My current mailing address and phone number are:

Antonio Perez
1666 JONES ST
DOS PALOS CA 93620-2747

(209) 392-3632

Signed this 9 day of MAY, 2005

By: [signature]
Antonio Perez

NOTARY ACKNOWLEDGMENT

State of California) County of Merced)

Before me, Antonio Perez, personally appeared and acknowledged to me that he/she is the person whose name is subscribed within the instrument and acknowledged that the execution thereof to be his/her free act.

Identification for the above named was Driver's License (or specify other identification:) 20530773

Signed this 9 day of May, 2005

Notary Public Signature: [signature]

Residing At So. Dos Palos Ca 93665

My Commission Expires

Notary Seal

DELIA ANTONETTI
Commission # 1556060
Notary Public - California
Merced County
My Comm. Expires Mar 31, 2009

Antonio Perez $1,975.20
SFR04343-MS

EXHIBIT C
page ___ of 15

COPY

19751 19751

NANCY HOFFMEIER ZAMORA (State Bar No. 137326)
Citibank Center
444 South Flower Street, Suite 1550
Los Angeles, California 90071
(213) 488-9411 FAX: (213) 488-9418

Chapter 7 Trustee

FILED
SEP 2 2 2004
CLERK, U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY Deputy Clerk

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

SAN FERNANDO VALLEY DIVISION

ENTERED
SEP 2 2 2004
CLERK, U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY Deputy Clerk

In re DOUBLE DIAMOND TRUCKING, INC. Debtor.	Case No. SV 01-19891 AG Chapter 7 ORDER SUSTAINING OBJECTION AND ALLOWING CLAIM NOS. 3, 13 AND 18 AS UNSECURED PRIORITY CLAIMS IN THE AMOUNT OF $4,650.00 EACH AND THE BALANCE AS GENERAL UNSECURED CLAIMS DATE: September 22, 2004 TIME: 1:30 p.m. CTRM: 302

The Court, having reviewed the Notice of Objection and Objection to Claim Nos. 3, 13 and 18; Memorandum of Points and Authorities; Declaration in Support (the "Objection") by Nancy Hoffmeier Zamora the duly appointed chapter 7 trustee herein, the Court being satisfied that the notice of the Objection was timely and properly served, there being no opposition to the Objection, and good cause appearing therefor

IT IS HEREBY ORDERED that the Objection is sustained; and

IT IS FURTHER ORDERED that Claim No. 3 filed by Juan Velasquez is hereby allowed as an unsecured priority claim in

EXHIBIT D
page 1 of 2

the amount of $4,650.00 and as a general unsecured claim in the amount of $3,318.18; and

IT IS FURTHER ORDERED that Claim No. 13 filed by Jose Monroy Garcia is hereby allowed as an unsecured priority claim in the amount of $4,650.00 and as a general unsecured claim in the amount of $7,230.00; and

IT IS FURTHER ORDERED that Claim No. 18 filed by Antonio Perez is hereby allowed as an unsecured priority claim in the amount of $4,650.00 and as a general unsecured claim in the amount of $6,950.00.

DATED: September 22, 2004

ARTHUR GREENWALD

THE HONORABLE ARTHUR GREENWALD
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT D
page 2 of 2

NOTE TO USERS OF THIS FORM:

Physically attach this form as the last page of the proposed Order or Judgment.

*Do **not** file this form as a separate document.*

In re **Double Diamond Trucking, Inc.** Debtor.	CHAPTER 7 CASE NUMBER: **SV 01-19891 AG**

NOTICE OF ENTRY OF JUDGMENT OR ORDER AND CERTIFICATE OF MAILING

TO ALL PARTIES IN INTEREST ON THE ATTACHED SERVICE LIST:

1. You are hereby notified, pursuant to Local Bankruptcy Rule 9021-1(a)(1)(E), that a judgment or order entitled *(specify):*

   Order Sustaining Objection and Allowing Claim Nos. 3, 13 and 18 as Unsecured Prioirty Claims in the Amoutn of $4,650.00 Each and the Balance as General Unsecured Claims

   was entered on *(specify date):* SEP 24 2004

2. I hereby certify that I mailed a copy of this notice and a true copy of the order or judgment to the persons and entities on the attached services list on *(specify date):* [illegible] 2004

Dated: [illegible] 2004

JON D. CERETTO
Clerk of the Bankruptcy Court

By: DEWELL WILLIAMS
Deputy Clerk

EXHIBIT E
page 1 of 1

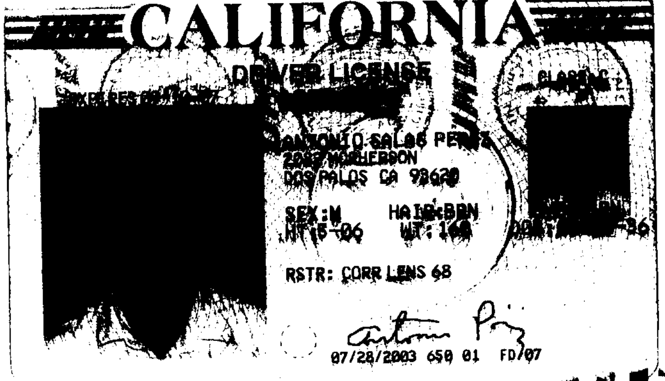
CALIFORNIA
DRIVER LICENSE
SEX:M
RSTR: CORR LENS 68
07/28/2003 650 01 FD/07

EXHIBIT F

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